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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

JUL 8 1994

ROLAND ALFARO,

Plaintiff,

v.

COUNTY OF MEDINA,
SCOTT TSCHIRHART and
WESLEY SCOTT,

Defendants.

Michael N. Milby, Clerk

MISCELLANEOUS NO. H-94-193

O R D E R

Pending is the Houston Police Department's ("Houston Police") Motion to Quash or Modify Subpoena Duces Tecum and Motion for Protective Order (Document No. 1). Having considered the motion and Plaintiff's response, and having conducted a telephone conference with counsel for Plaintiff and for Houston Police, the Court concludes that Houston Police's motion should be GRANTED in part and DENIED in part. It is therefore

ORDERED that Houston Police's Motion to Quash is DENIED insofar as the Subpoena Duces Tecum describes investigatory files relating to Scott Tschirhart in which the charges against him were sustained or justified. The Motion to Quash is otherwise GRANTED, providing, however, that Houston Police shall respond to Plaintiff with a list identifying the incidents which are the subject of other investigatory files in which Scott Tschirhart was exonerated, or in which for any other reason the charges were not sustained.



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